

117TH CONGRESS  
1ST SESSION

# H. R. 6088

To amend the Safe Drinking Water Act to authorize grants for smart water infrastructure technology, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 30, 2021

Mr. GALLEGRO (for himself and Mr. KATKO) introduced the following bill;  
which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Safe Drinking Water Act to authorize grants for smart water infrastructure technology, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Water Infrastructure  
5 Modernization Act”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

8 (1) to upgrade and modernize drinking water  
9 systems in the United States, tackle new contami-

1 nants, and support drinking water infrastructure  
2 across America;

3 (2) to support the modernization of drinking  
4 water infrastructure and management systems to  
5 maintain reliable, resilient, and affordable drinking  
6 water infrastructure and ensure the protection of  
7 public health; and

8 (3) to encourage utilization of water efficient  
9 technologies to address drought and prepare for the  
10 growing strain population growth and climate  
11 change will have on already over-allocated water sup-  
12 plies.

13 **SEC. 3. SMART WATER INFRASTRUCTURE TECHNOLOGY**  
14 **FOR DRINKING WATER.**

15 Section 1452 of the Safe Drinking Water Act (42  
16 U.S.C. 300j-12) is amended—

17 (1) in subsection (m)(1), by striking “sub-  
18 sections (a)(2)(G) and (t)” and inserting “sub-  
19 sections (a)(2)(G), (t), and (u)”;

20 (2) by adding at the end the following:

21 “(u) SMART WATER INFRASTRUCTURE TECH-  
22 NOLOGY.—

23 “(1) GRANTS.—Subject to the availability of  
24 appropriations, the Administrator shall make direct  
25 grants to the owners or operators of community

1 water systems for purposes of the planning, design,  
2 construction of, and operations training relating  
3 to—

4 “(A) smart water network technologies  
5 that—

6 “(i) can identify water losses from  
7 conveyance facilities in a nondestructive or  
8 nondisruptive manner, including acoustic  
9 data collection; and

10 “(ii) provide—

11 “(I) comprehensive data on pipe-  
12 line integrity that document the pres-  
13 ence of leaks or gas pockets; and

14 “(II) information on the extent  
15 of such leaks or gas pockets, with an  
16 emphasis on detecting weakness of,  
17 vulnerability of, or damage to pipe  
18 barrels, pipe joints, or other pipe fea-  
19 tures;

20 “(B) real-time sensing technologies, includ-  
21 ing the use of advanced analytics, that detect  
22 and alert operators to leakages and pipeline  
23 bursts on a real-time basis, including persistent  
24 sensor networks capable of measuring—

25 “(i) acoustic signals;

1 “(ii) pressure transient; or

2 “(iii) water quality;

3 “(C) real-time decision support that inte-  
4 grates sources of data about water distribution  
5 networks to deliver common operations informa-  
6 tion relying on data analytics that can improve  
7 operational decisionmaking, including nonrev-  
8 enue water loss, energy optimization, and water  
9 quality improvement;

10 “(D) advanced metering infrastructure, in-  
11 cluding meter data analytics and ratepayer  
12 technology—

13 “(i) to improve end user conservation;

14 and

15 “(ii) in support of disadvantaged com-  
16 munities;

17 “(E) resilient water supply projects that  
18 may provide real-time monitoring of weather  
19 patterns and impacts on water supply and flood  
20 protection reservoirs and dams that enhance op-  
21 erations, including—

22 “(i) improved water supply reliability  
23 and management;

24 “(ii) protection of natural resources,  
25 including fisheries; and

1 “(iii) temperature control; and

2 “(F) innovative and alternative water sup-  
3 ply projects, including groundwater banking,  
4 that rely on real-time data acquisition to sup-  
5 port predictive aquifer recharge through water  
6 reuse and stormwater management capabilities.

7 “(2) PROGRAM IMPLEMENTATION.—

8 “(A) SELECTION.—

9 “(i) APPLICATION.—The owner or op-  
10 erator of a community water system seek-  
11 ing a grant under paragraph (1) shall sub-  
12 mit to the Administrator an application at  
13 such time, in such manner, and containing  
14 such information as the Administrator may  
15 require.

16 “(ii) GUIDANCE.—Not later than 30  
17 days after the date of enactment of this  
18 subsection, the Administrator shall issue  
19 guidance to owners and operators of com-  
20 munity water systems on how to submit an  
21 application under clause (i).

22 “(iii) SELECTION.—Not later than 30  
23 days after the date on which the owner or  
24 operator of a community water system  
25 seeking a grant under paragraph (1) sub-

1 mits an application under clause (i), the  
2 Administrator shall determine whether to  
3 approve or deny the application.

4 “(iv) DEFICIENT APPLICATIONS.—If  
5 the Administrator determines that an ap-  
6 plication submitted under clause (i) is defi-  
7 cient, the Administrator shall—

8 “(I) advise the applicant of the  
9 deficiency; and

10 “(II) provide an opportunity for  
11 the applicant to resubmit the applica-  
12 tion.

13 “(B) DISBURSEMENT.—If the Adminis-  
14 trator approves an application under subpara-  
15 graph (A)(iii), the Administrator shall disburse  
16 grant funds not later than 60 days after the  
17 date of the determination.

18 “(3) COST-SHARE.—

19 “(A) IN GENERAL.—Except as provided in  
20 subparagraph (B), the non-Federal share of an  
21 activity carried out using a grant under para-  
22 graph (1) shall be 25 percent.

23 “(B) EXCEPTION.—The Administrator  
24 may waive the cost-share requirement under  
25 subparagraph (A) if the grant recipient is or

1 serves a disadvantaged community (as defined  
2 in subsection (d)(3)).

3 “(4) COMPLIANCE WITH BUY AMERICA.—Sub-  
4 section (a)(4) shall apply to grant funds under this  
5 subsection, without regard to the fiscal year limita-  
6 tion in subparagraph (A) of that subsection.

7 “(5) REPORT TO CONGRESS.—

8 “(A) IN GENERAL.—Not later than 180  
9 days after the date of enactment of this sub-  
10 section, and not less frequently than annually  
11 thereafter, the Administrator shall submit to  
12 Congress a report that—

13 “(i) describes the projects awarded  
14 grants under paragraph (1) during the ap-  
15 plicable reporting period; and

16 “(ii) includes any recommendations of  
17 the Administrator to improve the ability of  
18 grants under paragraph (1) to achieve the  
19 purposes described in section 2 of the  
20 Water Infrastructure Modernization Act of  
21 2021.

22 “(B) INITIAL REPORT.—The initial report  
23 required under subparagraph (A) shall include  
24 a description of the implementation of this sub-  
25 section, including a description of—

1 “(i) the projects approved for a grant  
2 under paragraph (1);

3 “(ii) the projects denied a grant under  
4 paragraph (1); and

5 “(iii) for the projects described in  
6 clause (ii), a description of the reasons for  
7 which each project was denied a grant.

8 “(6) AUTHORIZATION OF APPROPRIATIONS.—

9 “(A) IN GENERAL.—There is authorized to  
10 be appropriated to carry out this subsection  
11 \$25,000,000 for the period of fiscal years 2023  
12 through 2027, to remain available until ex-  
13 pended.

14 “(B) SET-ASIDES.—

15 “(i) RURAL COMMUNITIES.—Of the  
16 amounts made available under subpara-  
17 graph (A), the Administrator shall use not  
18 more than 20 percent to make grants to  
19 owners and operators of community water  
20 systems that serve a population of not  
21 more than 10,000 individuals.

22 “(ii) TRIBAL COMMUNITIES.—Of the  
23 amounts made available under subpara-  
24 graph (A), the Administrator shall use not  
25 less than 10 percent to make grants to

1 owners and operators of community water  
2 systems that serve Indian Tribes.”.

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